

Practitioner's Docket No. U 015954-0

## CHAPTER II

## IN THE UNITED STATES ELECTED OFFICE (EO/US)

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/JP2004/04638	31 MARCH 2004	31 MARCH 2003
TITLE OF INVENTION		
TITANIUM DIOXIDE COMPLEX HAVING MOLECULE DISTINGUISHABILITY		
APPLICANT(S)		
1.	SONEZAKI, Shuji	
2.	KANEHIRA, Koki	
3.	YAGI, Shinichi	
4.	OGAMI, Yumi	

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 Commissioner for Patents  
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 Alexandria, VA 22313-1450

ATTENTION: EO/US

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
 WITHIN THREE MONTHS OF FILING OR  
 BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. 1.97(b))

## CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\*

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Geraldine Marti  
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Date: May 31, 2006

GERALDINE MARTI  
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\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

NOTE: 37 C.F.R. 1.98(b):

- (1) *Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.*
- (2) *Each U.S. patent application published listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.*
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- (4) *Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.*
- (5) *Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.*

**WARNING:** *No extension of time can be had under 37 C.F.R. § 1.36 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).*

**NOTE:** *The "filing date of a national application" under 37 C.F.R. 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark office, the filing is defined in 37 C.F.R. 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. 37 C.F.R. 1.97(b)(2).*

### **IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. 1.97(b).

**NOTE:** *"No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."*

**NOTE:** *"An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).*

**NOTE:** *"The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).*

**NOTE:** *"An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).*

**WARNING:** *"A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).*

If a fee is required, please charge deposit account 12-0425.

**SIGNATURE OF PRACTITIONER**

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INFORMATION DISCLOSURE STATEMENT

We draw the attention of the Examiner to the attached references which are also listed on the attached Form PTO-1449.

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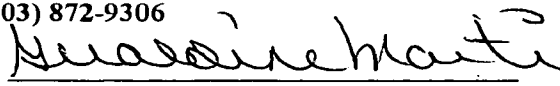
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Signature

Date: May 31, 2006

GERALDINE MARTI  
(type or print name of person certifying)

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<b>FORM PTO-1449 U. S DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use several sheets if necessary)		ATTY. DOCKET NO.		SERIAL NO.	
		U 015954-0		10/551,164	
		APPLICANT			
		Shuji SONEZAKI et al.			
		FILING DATE		GROUP	
U.S. PATENT DOCUMENTS					
EXAMINER INITIALS	REFERENCE DESIGNATION	DOCUMENT NUMBER	DATE	NAME	FILING DATE IF APPROPRIATE
	AA				
	AB				
FOREIGN PATENT DOCUMENTS					
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO
/P.D./	AC	2003-286198	10/2003	JP	X
/P.D./	AD	2003-226638	08/2003	JP	X
/P.D./	AE	2002-316950	10/2002	JP	X
/P.D./	AF	2001-81098	03/2001	JP	X
/P.D./	AG	9-255590	09/1997	JP	X
	AH	1-189322	07/1989	JP	X
/P.D./	AI	60-14940	01/1985	JP	X
OTHER ART (Including Author, Title, Date, Pertinent Dates, Etc.)					
/P.D./	AJ	Patent Abstracts of Japan of JP 2003-286198 dated October 7, 2003			
/P.D./	AK	Patent Abstracts of Japan of JP 2003-226638 dated August 12, 2003			
/P.D./	AL	Patent Abstracts of Japan of JP 2002-316950 dated October 31, 2002			
/P.D./	AM	Patent Abstracts of Japan of JP 2001-81098 dated March 27, 2001			
/P.D./	AN	Patent Abstracts of Japan of JP 9-255590 dated September 30, 1997			
/P.D./	AO	Patent Abstracts of Japan of JP 1-189322 dated July 28, 1989			
/P.D./	AP	Patent Abstracts of Japan of JP 60-14940 dated January 25, 1985			
/P.D./	AQ	Ohko, Y. et al. "Degradation of Bisphenol A in Water by TiO <sub>2</sub> Photocatalyst" <i>Environmental Science &amp; Technology</i> (2001) Vol. 35, No. 11, pp 2365-2368			
/P.D./	AR	Yamazaki, N. et al. "Endogenous Lectins as Targets for Drug Delivery" <i>Advanced Drug Delivery Reviews</i> (2003) Vol. 43, pp 225-244			
/P.D./	AS	Cai, R. et al. "Induction of Cytotoxicity by Photoexcited TiO <sub>2</sub> Particles" <i>Cancer Research</i> (1992) Vol. 52, pp 2346-2348			
EXAMINER /Pensee Do/			DATE CONSIDERED 03/28/2008		
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.					